

REMARKS

In the Restriction Requirement mailed on July 15, 2004 by the United States Patent and Trademark Office, the Examiner required a restriction to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-16, 18-32, drawn to an apparatus and method for determining a channel impulse response based upon the reference antenna information transmitted from the base station to the subscriber unit, classified in class 455, subclasses 504,506.
- II. Claims 1-15, 17-32, drawn to an apparatus and method for determining a channel impulse response based on the reference antenna information transmitted from the subscriber unit to the base station, classified in class 455, subclasses 504,506.

The Applicant respectfully traverses this restriction requirement.

The undersigned thanks Supervising Examiner Edward Urban for the courtesies extended during two telephone discussions relating to this restriction requirement. During the second telephone discussion, Supervising Examiner Urban stated that the restriction requirement mailed on July 15, 2004 would be withdrawn by Examiner Nguyen and also stated Examiner Nguyen would issue an office action within the near future. Should the Examiner have any questions or wish to discuss this restriction requirement response, Applicant requests that the Examiner contact the undersigned at (480) 385-5060.

If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

Dated 09/14/2004


Timothy J. Lorenz
Registration No. 41,954

Ingrassia, Fisher & Lorenz, P.C.
Customer No. 29906